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Friday
February 29, 1980

Part VII

Department of Agriculture

Office of the Secretary

Conservation of Petroleum and Natural Gas Through Possible Changes in USDA Financial Assistance Programs; Executive Order 12185

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Subtitle A, Chs. I–XXIX

36 CFR Ch. II

Conservation of Petroleum and Natural Gas Through Possible Changes in USDA Financial Assistance Programs; Executive Order 12185

AGENCY: U.S. Department of Agriculture, Office of the Secretary.

ACTION: Request for Public Comment.

SUMMARY: This notice identifies possible actions within USDA financial assistance programs which are likely to offer opportunities for significant conservation of petroleum and natural gas. We would like the public to comment on: The feasibility of saving petroleum or natural gas through the actions listed; other actions in these or other USDA financial assistance programs that could conserve significant amounts of energy; means of implementing these actions which are likely to be most cost beneficial; additional information or recommendations which should be considered before the Department decides to propose a specific conservation-oriented rule change in any of these programs.

This notice is published as directed by Executive Order 12185, "Conservation of Petroleum and Natural Gas."

DATE: Comments must be received by April 7, 1980.

FOR FURTHER INFORMATION CONTACT: Dr. Linley Juers, OBPE, Office of the Secretary, Room 117–A, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447–6667. He will answer questions, provide further information, or refer you to a specific individual who can provide other available information, and receive written comments.

SUPPLEMENTARY INFORMATION: Executive Order 12185, Conservation of Petroleum and Natural Gas, signed by the President December 17, 1979 and published December 19, 1979, at 44 FR 75093 mandates that each Federal agency identify its financial assistance programs which are most likely to offer opportunities for significant conservation of petroleum and natural gas. It further directs that a list of these programs be published for public comment so that the public may provide suggestions for rules which would encourage energy conservation. Comment on this notice should be submitted by April 7, 1980. A comment period of less than 60 days is necessary to put this project on the schedule mandated by Executive Order 12185. After consideration of these comments, we are directed to publish Notice of Proposed Rulemaking for actions that promise significant results; receive comment on our specific proposals; and then promulgate Final Rules, as appropriate.

This notice identifies USDA financial assistance programs and possible actions the Department could take to encourage conservation. It is not a commitment to take any of these actions. However, through more in-depth analyses of these possible activities, taking into account public comments and suggestions of activities or programs that may have been overlooked, the Department will take appropriate actions to conserve petroleum and natural gas.

Rulemaking Schedule

The development of actions to achieve the conservation purposes of the Executive Order will adhere to the following schedule to the greatest extent possible. This schedule is published so the public will understand the full undertaking and can prepare to comment on specific proposed rules on or about May 20, 1980 in addition to commenting on this list of actions. The schedule is:

Apr. 7, 1980—Comment period closes.

May 7, 1980—Notice of proposed Rulemaking published in the **Federal Register** for 30 days of public comment. A Draft Impact Analysis will be completed for each action for which proposed rules will be published. Other actions appearing in the notice or suggested by the public which are determined to be infeasible will be dropped at this time.

June 9, 1980—Comment period on proposals closes.

June 17, 1980—Final Rules published.

Type of Comments That Will Be Particularly Useful

To make sure that we take the most promising actions we are seeking additional information from the public through this notice on (1) the feasibility of saving petroleum or natural gas through the actions proposed, (2) other actions in these or other USDA financial assistance programs that could conserve significant amounts of energy, (3) means of implementing these actions which are likely to be most cost beneficial in terms of all major impacts, (4) the availability of data or other information that could help the Department identify the best options to encourage petroleum and natural gas conservation through its financial assistance programs, (5) analytical techniques or approaches which should be applied to information acquired to assure the best possible analysis, and (6) other activities, possible actions, expected outcomes of actions, costs or benefits, or other legal or technical requirements which should be considered before the Department decides to propose a specific conservation-oriented rule change in any of its financial assistance programs.

So that your comments may easily be identified with USDA programs or possible actions listed in this proposal, be sure to identify the:

- Program as shown below, and
- Specific action proposed under the program as identified below including the **Federal Register** page number it appears on.

If you suggest options or programs not identified in this notice, be sure to identify the program. Also, if you make comments which affect more than one program, be sure to identify all the programs the comment addresses. No conservation rule shall be adopted which is inconsistent with the statutory provisions establishing the various financial assistance programs.

Any proposed rules developed under the programs listed below will follow the USDA procedures established under Executive Order 12044. The significance of each rule will be determined prior to developing proposed rules and indicated in the notice of proposed rulemaking.

Financial assistance programs and possible actions are listed below by the USDA agency which administers the program.

Dated: February 26, 1980.

Bob Bergland,

Secretary.

Agricultural Stabilization and Conservation Service

Programs: Agricultural Conservation Program

In carrying out several conservation practices under the Agricultural Conservation Program, soil testing is required to determine the proper quantities of fertilizer needed with respect to those practices. To the extent that the soil testing indicates that a limited amount of fertilizer should be used, an energy conservation benefit is obtained. Also, other conservation practices under the program would promote energy conservation benefits with respect to petroleum and natural gas, such as cost-sharing for windbreaks around farmsteads as well as cost-sharing for conservation tillage.

Farmers Home Administration

Program: Rural Housing

FmHA proposes to train all FmHA personnel who review construction proposals in the use of the new Home Energy Index to determine the value of energy conservation and provide basis for improvement recommendations for reduction of fuel requirements.

FmHA will study the feasibility of requiring all new construction financed by FmHA to have some passive solar features incorporated in the design.

Program: Rural Housing—Site Development Loans, Multi-Family

FmHA proposes to require that all feasibiliy studies and engineering reports consider energy efficiency with respect to site location, transportation, providing utilities, and site development before selecting the final project design.

Program: Rural Rental Housing and Farm Labor Cooperative Housing

Proposal to require owners of existing FmHA financed MFH to submit an Energy audit of their project when: (1) Requesting a rent increase or applying for rental assistance; (2) requesting a transfer of the project or subsequent assistance. The energy audit would identify current conditions and recommend a plan of energy conservation measures.

Program: Rural Rental Housing Loans, Section 515

Using $10 million to fund six Rural Rental Housing projects using innovative design and materials for energy conservation. One project to be funded in each of the six FmHA area coordinator regions. Each project to be approx. $1.5 million.

Program: Rural Housing Building and Repair Loans, Section 502

Most FmHA borrowes are first-time homeowners. Training for such new borrowers might include living habits for maximum energy conservation and home maintenance and repairs effecting conservation.

Program: Business and Industry Loan Program

Proposed administrative procedures to encourage Conservation of Petroleum and Natural Gas by applicants/borrowers which will involve plant locations, encouraging modern energy conservation measures, utilizing alternate energy sources, encouraging utilization of by-products and economic development which will not require excessive travel by the public.

Program: Rural Housing Loans and Grants, Section 504

Propose to establish goals of 50 percent of funds allocated to Section 504 loans and grants for weatherization related purposes, including direct weatherization where no DOE funds are available and preliminary rehab where that is necessary to make DOE weatherization funds effective.

Program: Community Facilities Loans

Add a statement to FmHA Instruction 1942–A, § 1942.17(j) to request the applicant to certify that the proposed facility is designed to provide effective energy conservation practices.

Program: Water and Waste Water Development, Grants and Loans

This proposal would include but not be limited to design, materials, distribution/collection system and types of treatment. Proposal would encourage the initial installation of energy efficient systems.

Programs: Farm Ownership Loans, Farm Operating Loans, Soil and Water Conservation Loans

Propose to evaluate loan applications for energy conservation potential in addition to other criteria. Each state will be encouraged to establish a list of key practices for energy conservation; the list will be provided to county offices as resource material for county supervisors in working with applicants. Three broad categories of practices have been established; they are listed below with illustrative examples: (1) Land Development: Wind and solar powered equipment for pumping and irrigation; structural designs that exploit gravity flow where possible; methane generators for handling barnyard waste; (2) Building Development: Retrofit existing buildings to meet new FmHA standards; utilize wood-burning facilities; orient buildings to utilize solar energy; (3) Farm Operations: Expand minimum tillage, use more alternate energy sources.

Program: Multiple Programs

FmHA will study the feasibility of financing pilot self-sufficient energy districts to serve selected farm communities. Those districts would collect natural gas (methane) or alcohol produced on farms, further refine the products and would market them. These districts would assist farmers with operating and maintaining energy producing stills and digestors, purchase supplies and explore marketing.

Forest Service

Program: Rural Forestry Assistance

The Forest Service currently provides grants to state forestry agencies for use in managing, planning, and utilizing the timber and related resources on state and privately owned lands. These grants are in response to grant applications that provide a description of the planned activities that will be undertaken by the states. The Forest Service could increase current efforts to encourage states to offer assistance both to increase operating efficiencies in the timber industry (such as the Sawmill Improvement Program or the Felling and Bucking Program) and to increase the use of wood as a fuel substitute for petroleum or natural gas (such as fireplace wood or wood chips and residues as boiler feedstock). To implement this, the Forest Service would amend its current procedures for developing and reviewing state grant applications to emphasize certain conservation activities in the decision criteria.

The Forest Service also provides grants to state agencies for states to administer the YCC program. Currently, 30 percent of YCC appropriations are provided via this mechanism. These grants are made on the basis of state applications and the Forest Service could increase current efforts to encourage state YCC programs to focus on energy conservation.

Rural Electrification Administration

Program: REA Loans and Loan Guarantees

Provide that REA borrowers develop plans to encourage energy conservation in the use of the borrower's headquarter buildings and other facilities and equipment and through energy audits performed for borrowers' members and consumers.

Develop technical assistance programs for the more effective utilization of waste heat produced by REA financed generating plants.

Soil Conservation Service

Programs: Watershed Protection and Flood Prevention; Great Plains Conservation Program; Resource Conservation and Development

Require explicit consideration of fuel petroleum, natural gas, nonfuel petroleum, and equipment time requirements in farm and project plans that provide the basis for financial assistance. Give priority or additional financial incentives to energy efficient solutions to floodplain management (non-structural alternatives), land stabilization, erosion control, water conservation (irrigation system improvement) and water quality problems.

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
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DOT/FHWA	USDA/FSQS		DOT/FHWA	USDA/FSQS
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DOT/SLSDC	HEW/FDA		DOT/SLSDC	HEW/FDA
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Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

REMINDERS

The "reminders" below identify documents that appeared in issues of the **Federal Register** 15 days or more ago. Inclusion or exclusion from this list has no legal significance.

Rules Going Into Effect Today

ENVIRONMENTAL PROTECTION AGENCY

6786 1-30-80 / Attainment status designations; Illinois

FEDERAL COMMUNICATIONS COMMISSION

5304 1-23-80 / El Dorado, Ark.; FM assignment

5305 1-23-80 / Leonardtown, Md. and Falmouth, Chancellor and Colonial Beach, Va.; FM assignments

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

6886 1-30-80 / Housing assistance payments program (Section 8); State housing agencies

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws.**

Last Listing February 28, 1980

Just Released

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(Revised as of January 1, 1979)

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